UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SINGULAR COMPUTING LLC,	Civil Action No. 1:19-cv-12551-FDS
Plaintiff,	
v.	Hon. F. Dennis Saylor IV
GOOGLE LLC,	
Defendant.	

PLAINTIFF SINGULAR COMPUTING LLC'S ASSENTED TO MOTION TO IMPOUND PURSUANT TO LOCAL RULE 7.2

Pursuant to Local Rule 7.2 and the Protective Order in this case ("Protective Order"), ECF No. 74-1, Plaintiff Singular Computing LLC ("Singular") respectfully requests that this Court impound (seal) (i) certain exhibits to the Declaration of Kevin Gannon in Support of Singular's Opposition to Google's Motion to Stay ("Gannon Declaration") and (ii) portions of Singular's Opposition to Google's Motion to Stay. The exhibits to be sealed are identified below.

The Protective Order allows a party producing documents in discovery to designate documents as "Confidential" after making a good-faith determination that the documents contain information that is "confidential, proprietary, and/or commercially sensitive information." Protective Order ¶¶ 6-7. That Order requires that a party intending to make court filings referring to "Confidential" information bring a motion to impound. *Id.* ¶ 14. The following exhibits to the Gannon Declaration contain documents that Singular has designated as containing confidential information:

- Exhibit L, a copy of document number SINGULAR-00083454;
- Exhibit M, a copy of document numbered SINGULAR-00026942;
- Exhibit N, a copy of document numbered SINGULAR-00018122;
- Exhibit O, a copy of documents numbered SINGULAR-00018412-00018414; and
- Exhibit Z, excerpts from the deposition of Catherine Tornabene which Google has designated Attorneys Eyes Only.

Singular's Opposition quotes from and discusses these confidential exhibits. A redacted, public version of Singular's Opposition to Google's Motion to Compel will be filed concurrently with this motion.

For the foregoing reasons, Singular respectfully requests that the Court permit it to file (i) the above-identified exhibits under seal and (ii) those portions of Singular's Opposition to Google's Motion to Stay that quote from and discuss these exhibits because Singular has taken the position that the documents contains confidential business information. Singular further requests that the documents remain impounded until further order by the Court, and that upon expiration of the impoundment that the documents be returned to Singular's counsel.

Dated: May 28, 2021   Respectfully submitted,

                                             /s/ Paul J. Hayes
                                             Paul J. Hayes (BBO #227000)
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                                             ATTORNEYS FOR THE PLAINTIFF

LOCAL RULE 7.1(a)(2) CERTIFICATION

I hereby certify that counsel for Singular conferred with Defendant's counsel in a good-faith attempt to resolve or narrow the issue raised by this motion. Defendant's counsel informed me that Google assents to the relief sought in this motion.

/s/ Paul J. Hayes

CERTIFICATE OF SERVICE

I certify that on May 28, 2021, I served this document on Defendant by causing a copy to be sent via electronic mail to its counsel of record.

/s/ Paul J. Hayes